

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

In re: SPROUT MORTGAGE, LLC,  
  
Debtor.

Chapter 11

Case No.: 8:23-72433-reg

**STIPULATION AND [PROPOSED] ORDER WITHDRAWING SUBPOENA TO  
MICHAEL STRAUSS AND RESOLVING MOTION FOR RECONSIDERATION**

This matter having come before the Court by way of mutual application and consent of PNC Bank, National Association (“PNC”) and Michael Strauss (“Strauss”), through their counsel, and the Court having jurisdiction over this matter, and good and sufficient cause appearing;

**IT IS HEREBY ORDERED AND AGREED THAT**

1. The Subpoena for Rule 2004 Examination (“Subpoena”) issued by PNC to Strauss, dated April 17, 2024, is withdrawn.
2. The Order, dated April 2, 2024 (Dkt. No. 312), which authorized PNC to issue the Subpoena, is vacated.
3. Strauss’s Motion to Reconsider the April 2, 2024 Order (Dkt. No. 329) is withdrawn as moot.
4. Nothing in this Stipulation and Order shall be construed to limit PNC’s right to seek discovery in any other action or proceeding, whether related or unrelated to the topics listed in the Subpoena, through any means in accordance with applicable law, or waive any right of Strauss to oppose any such discovery.
5. Nothing in this Stipulation and Order is intended or shall be deemed to constitute an admission or acknowledgment of any fact or conclusion of law alleged, and all parties reserve all available rights, remedies, claims and defenses without waiver.

6. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Stipulation and Order.

*STIPULATED AND AGREED TO BY:*

**HINSHAW & CULBERTSON LLP**

*Attorneys for Creditor,*  
PNC Bank, National Association

By: /s/ Karena J. Straub

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